# Transferring from primary to secondary school

Arrangements for Lewisham resident pupils with an Education, Health and Care Plan (EHCP): a guide for parents/carers

## Contents


Contents .....

Introduction and background ..... 1

Review process ……..... 1

Consultation process..... 2

Decisions ..... 3

Further information, advice and support ..... 3

Frequently asked questions ..... 4

Lewisham secondary schools ..... 6

- Mainstream schools
- Specialist provision information
- Specialist resource provision
- Special school provision

Secondary school transfer flowchart for children with education, health and care plans ..... 10

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# Introduction and background

By law, the secondary school transfer process is different for children with an Education Health and Care Plan (EHCP). This guide explains the differences and outlines the arrangements and process for secondary school transfer of Lewisham resident pupils with an EHCP.

Parents/carers of children with an EHCP have certain rights related to admissions and phase transfers. The secondary school transfer process is managed by Lewisham LA Special Educational Needs (SEN) Team. As parents/carers of children with an EHCP, you will be entitled to express a preference for a school that you wish your child to attend. Your preferences and the process of expressing these preferences and sharing them with the Local Authority will be discussed at your child's year 5 annual review which will, and should, take place during the summer term of your child's year 5.

Lewisham operates an inclusive policy and model and will always aim to educate pupils within a local mainstream setting and ensure the pupil can be part of their local community wherever possible and appropriate, as under the Children and Families Act 2014 (Sections 33 & 40). However, you may alternatively ask for a placement outside the maintained sector, which will be considered by the authority before making a final decision on naming a school in Section I in an EHCP.

Local Authorities must agree the parent's/carer's preferred school in Section I of their child's EHCP unless:

- it would be unsuitable for the age, ability, aptitude or SEND of the child or young person, or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources.

# Review process

1. Lewisham LA will ask your child's school to hold an annual review of your child's EHCP during the summer term of year 5. Most of these reviews will be held between the months of May and July, and you should be invited and informed of the review date. However, if a year 5 review has already taken place, the LA is recommending that a 'mini review' be completed in order for you to have the opportunity to discuss your child's transfer to secondary school and questions you may have related to this.

2. The aim of the review is to discuss and measure your child's progress and the provision made for your child. The review should consider whether it is necessary to amend the EHCP to reflect newly identified, or significantly changed, needs and subsequent provisions required to meet those needs. In some cases, the review may consider whether the EHCP objectives have

been met, and whether it should cease to be maintained by the authority, given the success of the interventions and support and the significant progress of the child.

3. In addition, the secondary transfer review will be the meeting at which you can discuss a preference for a secondary school. The primary school Special Educational Needs Co-ordinator (SENCO) will advise you in this process. The school's allocated Senior SEN Case Officer may also be available to offer advice and support to you and the school in this process. If your child has only received an EHCP recently, the school SENCO should still invite you to a meeting to discuss transition choices, although a full review may not be necessary.

4. As part of the review, you will consider at least a first and second preference for schools and will be invited and encouraged to give reasons for them, including social reasons, such as family or friend connections with the school, or ease of travel. This will help to inform your final decisions when completing our secondary transfer online preference form (see below – please note, the preferences given on the online form will those used to inform consultations.

# Consultation process

1. The LA will consider the recommendations made at the annual review meeting on the standard annual review form and your preferences and comments on the secondary transfer online preference form at a secondary transfer 'type' panel meeting in October. The panel will consider all evidence presented and will decide which schools should be consulted. The LA will always consult with your expressed preferences but may add other potentially suitable schools to be consulted with, especially if you have not expressed a preference for a Lewisham school, or if you have requested a specialist or specialist resource provision. The LA will always consult with your nearest Lewisham mainstream secondary school. The panel may also decide to amend the description of special educational needs, or the appropriate type of provision/level of additional support, or to propose to cease to maintain the education health and care plan.

2. Lewisham LA will write to you after the secondary transfer panel meeting to inform you about the schools that will be consulted for your child.

3. At the same time, the relevant schools will be consulted as to whether they agree to be 'named' in Section I of your child's EHC Plan. The schools will have 15 calendar days to respond. A further meeting of the panel will take place in December to consider the formal responses and to allocate a school to each young person with an EHCP.

4. The amended final EHCP will be issued by the statutory deadline of 15 February. This aims to reassure you and your child as your child will already

have secured their secondary school place before the formal notifications of secondary school places for young people without an EHC Plan are published on 01 March.

## Decisions

1. Lewisham LA will consider the three criteria outlined by the Code of Practice in naming a school (see point 5 of Introduction & Background above).

2. Lewisham LA operates an inclusive policy and will always aim to educate pupils within a mainstream setting, unless this is contrary to your wishes, or would affect the efficient education of other children. The general duty assumes that with the right strategies and suitable support, most children with special educational needs can be included successfully in mainstream school and enjoy and achieve together with their peers. The LA should be able to provide a mainstream option for all but a small minority of pupils.

3. Lewisham LA is obliged by law to consult a school before agreeing to name it in the EHCP. If the school is a specialist or specialist resource provision maintained by another LA, Lewisham must also consult that LA. Lewisham LA must consider all views received through consultation, but the final decision as to whether to name the school lies with the LA. The LA follows a thorough and robust consultation process and ensures that we work with the parental preference.

4. Where the LA proposes to name an alternative provision e.g. an academy or free school in a child's EHCP made in accordance with section 324 of the Education Act 1996, the alternative provision shall consent to being named, *except where admitting the child would be incompatible with the provision of efficient education for other children; and where no reasonable steps may be made to prevent the incompatibility.* In deciding whether a child's inclusion would be incompatible with the efficient education of other children, the provision shall have regard to the relevant guidance issued by the Secretary of State to maintained schools. In the event of any disagreement between the education provision and the LA over the proposed naming of the provision in an EHCP, the provision may ask the Secretary of State to determine whether the provision should be named. The Secretary of State's determination shall be final.

5. When Lewisham LA decides to name a particular school in a child's EHC Plan, the child is then entitled to a place at that school. Lewisham LA must be able to show that it has given due consideration to the criteria concerning admission to the school.

# Further information, advice and support

If your child has an Education, Health and Care Plan and you would like to discuss their transfer from primary to secondary school further, you can either speak to the Head Teacher or SENCO of your child's school, or to the named Senior SEN Case Officer.

For independent support and advice on options and processes you are also able to contact Lewisham's Special Education Needs and Disability Information Advice and Support Service (SENDIASS) on 0203 319 2163.

# Frequently asked questions

## What if my child currently attends a special school?

Pupils at special school settings will have a Year 5 review in the same way as any other pupil with an EHC Plan, with consideration given to whether reintegration into a mainstream setting is possible and appropriate, either prior to, or at, transition to Year 7. The review will also establish that if a special school continues to be required to meet needs, and if the current special school is the most appropriate one.

## Can I express a preference for a special school, and will the LA name a special school?

Yes, you can express a preference for a special school. The LA must name your preferred choice unless:

a) it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
b) the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources.

The LA normally has a duty to educate a child in a mainstream school; however it is not bound by this duty where a child has an EHCP and a mainstream school is against expressed parental wishes.

Where the LA does not name the preferred choice of special school, the LA must consider the request for special school education. In doing this the LA must have due regard to the duty imposed by Section 9 (Education Act 1996), and the need to arrange suitable educational provision imposed by Section 34 (Children & Families Act 2014). The LA then decides which school (special or mainstream) is named in Section I of the EHCP.

## What will happen if my child has special educational needs but does not yet have an EHCP?

If your child has special educational needs but **does not yet** have an EHCP (even if s/he is under formal statutory EHC Needs Assessment) the Lewisham Admissions Common Application Form must be completed via www.eadmissions.org.uk/eAdmissions/app. The deadline for this is 31 October.

Should the LA decide to issue an EHCP, the first two preferences on the Common Application Form will be used for formal consultation, but you will also have the option to confirm your preferences at that stage.

If your child receives a draft or final education, health and care plan before 30 September, you will be asked to complete a special educational needs secondary transfer form. There will then be no need for you to complete the Common Application Form. The secondary transfer will no longer be managed by central admissions and the SEN team will take this over.

## What will happen if I am unable to attend my child's annual review?

It is important that you attend the review. However, if it is impossible for you to do so, the Head Teacher or SENCO of the primary school would arrange to have a separate meeting with you to discuss your preferences for secondary school in light of the general recommendations of the review.

## Can I appeal the decision not to agree my first preference?

Yes. If you are unhappy with a proposal by the LA not to name your first preference, the Senior SEN Case Officer for your child's current school can meet with you to discuss your views. The LA will take account of your further views before making a final decision.

When the EHCP is finalised, if you still disagree with the school named in Section I, you can appeal to the Independent Special Educational Needs and Disability First Tier Tribunal. Further details can be obtained at https://www.kids.org.uk/. You will also be able to request mediation (telephone: 03330 062 835). The mediation arrangements are specifically linked to decisions about EHC needs assessment and EHC plans. If you decide to appeal to the Tribunal, you must contact the Mediation Service first.

## Can I change my preferred schools after the review?

Yes. The LA will accept changes to preferences until the end of October.

It may be possible for the LA to consider changes to preferences after this date in exceptional circumstances. However, please note that any late change may affect the outcome of the consultations we send – e.g. in our special schools, available spaces may already have been allocated; in our other secondary schools, the placements already agreed may affect the school's ability to offer a further space without affecting the delivery of efficient education for others.

## What will happen if my child receives an EHCP following a assessment during Year 6?

If your preferred school is the same, you do not need to complete a further transfer form, although the LA will need to re-consult with schools if there are changes. If you wish to change your preference following reassessment you can do so. The LA would apply the criteria identified in deciding whether to agree to name a new preference in part I of the EHC Plan.

## Is it true that if a school is named on a child's Education Health and Care Plan, then that school must admit him/her?

Yes. If a school is named under Section I of your child's EHCP, that school must admit your child. However, Lewisham LA cannot issue an EHCP naming a school without consulting that school first. The views of that school will be taken into consideration before a decision regarding whether to name it on an EHCP is taken.

If it is considered that a particular mainstream place would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources, and there are no reasonable steps that the placement could take to prevent the incompatibility, Lewisham LA will not agree to name that school. In this case, your preferred school will not be obliged to admit your child.

Your views will be sought regarding an alternative school and you will be given the right to appeal against this decision once a statement naming an alternative school has been issued.

## Will home to school travel assistance be provided for my child?

No, not automatically. Applications for home to school travel assistance will be considered on a case by case basis and decisions are made in line with Lewisham's travel assistance policy.

In the event that your preferred school is further away from your child's home than another school that can meet your child's special educational needs, it might be open to the LA to name the nearer school, if that would be compatible with the efficient use of the LA's resources. It would also be open to the LA to name your preferred school on condition that you agree to accept, and continue to accept, responsibility for arranging, providing and funding home to school travel assistance.

If your child currently receives home to school travel assistance you will need to reapply as there is no automatic entitlement to continued travel assistance and your child's situation will have to be re-assessed.

# Lewisham secondary schools

Visit the Lewisham Council website for details of Lewisham schools, open days and applications for pupils without an Education, Health and Care Plan (EHCP) transferring to secondary school.

If you are unable to attend a school's open day or are unable to speak to someone at the school about their specialist SEN resource provision, a separate meeting can be arranged with the school.

## Mainstream schools

*Lewisham Community Schools*

- Conisborough College
- Deptford Green School
- Forest Hill School
- Sydenham School

*Schools that use their own admission criteria*

- Addey & Stanhope*
- Bonus Pastor Catholic College*
- Haberdashers' Aske's Hatcham College*
- Haberdashers' Aske's Knights Academy*
- Prendergast School*
- Prendergast-Ladywell School*
- Prendergast-Vale College*
- Sedgehill Academy*
- St Matthew Academy*
- Trinity CE Secondary School*

*NB: It is recommended for you to visit each schools website to find out if there is additional information you need to consider before submitting your preference form.

*Supplementary information forms for secondary schools, including faith schools*

Some schools need extra information from you when you apply. For September 2027 admission, you need to complete a supplementary information form if you are applying for:

- Bonus Pastor Catholic School – faith applicants
- Haberdashers' Aske's Hatcham College – music places

- Prendergast School– music places
- St Matthew Academy – faith applicants
- Trinity Church of England School, Lewisham – faith applicants.

You can get supplementary information forms directly from the school.

## Specialist provision information

The majority of children and young people with Education, Health and Care Plans will have their education and additional needs met in a mainstream setting.

Some children and young people identified with particularly complex and severe special educational needs and/or disabilities may have their needs met through a specialist provision either through a resource provision or a special school provision.

## Specialist resource provision

There are some children and young people with complex special educational needs and/or disabilities who will have the potential to access mainstream teaching if provided with specialist support. Education and specialist support for this group of children will be provided by the Specialist Resource Provision, within mainstream schools.

The key objectives of Lewisham Council's Specialist Resource Provision is to provide children and young people with Education, Health and Care Plans who have been identified with particularly complex needs:

- the opportunity to maximise their educational potential and integrate into mainstream teaching;
- the opportunity to work with specialist teachers who can apply and develop strategies to meet their additional needs and support their transition into mainstream settings;
- the opportunity to have access to local educational provision.

There are currently four mainstream secondary schools within Lewisham that offer Specialist Resource Provisions. Each specialist resource provision has its own eligibility criteria. You can attend the school's open day or you can contact the school directly for further information about their Specialist Resource Provision. Admission to Specialist Resource Provision is managed by the Council's Special Educational Needs Service. Parents and carers of children and young people with EHCPs will be able to express a preference for a place within a Specialist Resource Provision during the secondary school transfer process. An expression of interest does not guarantee a place, the decision on all secondary transfers will be made at the Secondary School Transfer Panels detailed above.

*Lewisham's Secondary Schools Specialist Resource Provision include*

- Addey & Stanhope: Speciality need - Speech and Language Disorder & Communication Needs (SLCN).
- Conisborough College: Speciality need - Students with Autism working at well below expected academic levels (equivalent of year 2).
- Deptford Green: Speciality need - Students with Autism and working at levels of a year 5 student or above or working at age expected levels.

## Special school provision

The special schools in Lewisham cater for the needs of pupils with complex and severe needs, including severe learning difficulties, physical disabilities and language and communication difficulties including autistic spectrum disorder, as well as pupils with profound and multiple complex needs. You can attend the school's open day or you can contact the school directly for further information about their special school. Admission to Lewisham's special schools is managed by the Council's Special Educational Needs Service. Parents and carers of children and young people with Education, Health and Care Plans will be able to express a preference for a place within a special school during the secondary school transfer process. An expression of interest does not guarantee a place, the decision on all secondary transfers will be made at the Secondary School Transfer Panel, as detailed above.

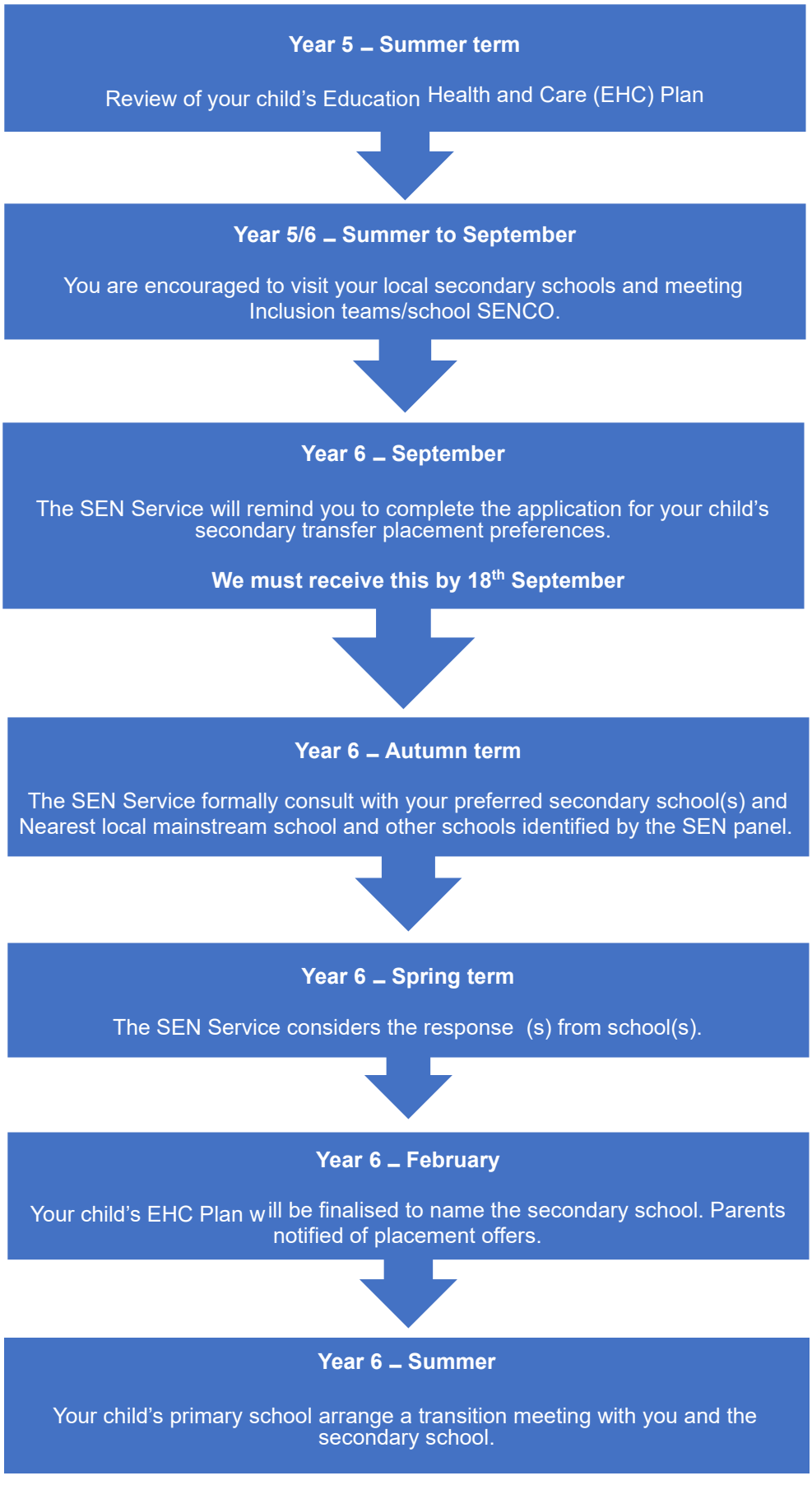
*Lewisham's Secondary Special Schools include*

- Greenvale: Speciality need - Children with severe or profound and multiple learning difficulties (PMLD).
- Brent Knoll: Speciality need - Children with significant social communication and interaction difficulties, ASD and moderate learning difficulties.
- Drumbeat: Speciality need - Autism and significant learning needs
- New Woodlands: Speciality need - Social, emotional and mental health needs.

If you have any questions about the secondary school transfer process you can contact the Special Educational Needs Service, on 020 8314 6303 / 020 8314 6369, sen@lewisham.gov.uk

For independent support and advice on options and processes you are also able to contact Lewisham's Special Education Needs and Disability Information Advice and Support Service (SENDIASS) on 0203 319 2163.

# Secondary school transfer flowchart for children with education, health and care plans



## May to July: School Year 5

Year 5 Annual review. Parents/carers will be given the opportunity to discuss secondary school placements and express first and second preferences for schools.

## September: School Year 6

Parents/carers confirm first and second preference of secondary schools with their child's existing school and a Special Needs Secondary Transfer form must be completed by the parent via the online secondary transfer preference form no later than 18th September.

## Early-October

A multi-agency secondary transfer panel will consider all available evidence for your child alongside your secondary school preferences. The multi-agency panel may identify other schools that would be appropriate to consult with based on your child's needs.

## By the end of October

We will contact you with any proposed changes and list of schools to be consulted about a placement for your child. We also invite your feedback on the amendments to the EHC plan.

## November/December

A multi-agency panel will meet to consider consultation responses and allocate school places.

## By 15 February

We will send you an amended EHC plan with a named secondary school place. It is important to note that it is not always possible to secure a place for your child at your preferred school. However, you will always be given the right of appeal.